

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANNE MCCALLUM,

Plaintiff,

v.

Case No. 2:16-cv-11452  
District Judge Gershwin A. Drain  
Magistrate Judge Anthony P. Patti

HILTON WORLDWIDE HOLDINGS,  
INC., *et al.*,

Defendants.

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**ORDER DENYING AS MOOT IN PART AND GRANTING IN PART  
DEFENDANTS' MOTION TO COMPEL OUTSTANDING DISCOVERY  
RESPONSES AND TO AMEND SCHEDULING ORDER TO ALLOW  
FURTHER DISCOVERY (DE 41)**

Plaintiff filed this premises liability lawsuit on April 22, 2016, based on the alleged events of April 27, 2014. Currently pending before the Court are several motions, two of which have been referred to me for hearing and determination:

- Defendants' July 20, 2017 motion to compel outstanding discovery responses from Plaintiff and to amend scheduling order to allow further discovery, regarding which a response and reply have been filed (DEs 41, 48, 50)
- Defendants' motion to set aside notice that requests for admissions are deemed admitted and to allow for amended responses, regarding which a response and reply have been filed (DEs 42, 52, 57)

A hearing was held on August 22, 2017, at which attorneys Henry B. Cooney and Allison D. Lazette appeared. The parties informed the Court that they had resolved

most aspects of the earlier-filed motion, except as addressed below. In addition, the parties represented that Plaintiff would produce initial disclosures within seven (7) to ten (10) days and that they would like for discovery to continue through the settlement conference date.

Having found that Defendants were required to provide Fed. R. Civ. P. 26(a) initial disclosures (*see, e.g.*, DE 20 and Judge Drain's Practice Guidelines), having observed that the discovery deadline passed on July 14, 2017, and having chosen October 19, 2017 as the rescheduled settlement conference date, the Court instructs that: **(a)** Defendants shall provide their Rule 26(a) initial disclosures on or before **September 1, 2017**; and, **(b)** discovery will remain open through **October 18, 2017**, the day before the settlement conference.

Accordingly, Defendants' motion (DE 41) is **GRANTED** as to these requests and is otherwise **DENIED AS MOOT**. Defendants' remaining July 20, 2017 motion (DE 42) will be addressed under separate cover, based upon a further stipulation which was placed on the record.

**IT IS SO ORDERED.**

Dated: August 23, 2017

s/Anthony P. Patti

ANTHONY P. PATTI

UNITED STATES MAGISTRATE JUDGE

### **Certificate of Service**

I hereby certify that a copy of the foregoing document was sent to parties of record on August 23, 2017, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the  
Honorable Anthony P. Patti